

REMARKS

Claims 1-6 and 15-18 are pending. By this Amendment, claims 1 and 2 are amended and claim 15-18 are added. Favorable reconsideration in view of the foregoing amendments and the following remarks is respectfully requested.

Applicants thank Examiner Lee for the courtesies extended to Applicants' representative during the October 15, 2007 telephone interview. The substance of the interview is incorporated into the following Remarks.

The Office Action rejects claims 1, 2 and 4-6 under 35 U.S.C. §102(e) over U.S. Patent No. 6,587,793 to Viassolo et al. (Viassolo). (The Office Action Summary and the "Allowable Subject Matter" section of the Office Action indicate that claim 4 is allowable, but from the substantive portion of the Office Action, Applicants understand that the intent was to instead indicate claim 3 to be allowable.) It is noted that Viassolo and the claimed invention were commonly owned, or subject to an obligation of assignment to the same entity, at the time the claimed invention was made. This rejection is respectfully traversed.

A. Claim 1 is amended to recite that the clusters initially are empty sets, and that these empty sets are filled by assigning each training sample to the most appropriate cluster. Support for this amendment is found in the specification at, for example, section [0061].

Viassolo does not appear to disclose this concept. For at least this reason, claim 1 and all claims dependent therefore are patentably distinct from Viassolo.

Furthermore, dependent claim 2 is amended for better clarity, by making explicit what was implicit. The Office Action asserts that Fig. 2 of Viassolo discloses the subject matter of claim 2, but this is clearly not the case. The "top of the triangle" in Fig. 2 is referenced by the Office Action in connection with a "Euclidean distance," but there simply is no disclosure in Fig. 2 of determining a Euclidean distance from the training sample to each of the cluster

centroids, such that a plurality of Euclidean distances are determined for each training sample.

Accordingly, Applicants respectfully request withdrawal of the rejection.

B. New claim 15 corresponds to original claim 2, rewritten in independent form and amended for better clarity as discussed above. Claim 15 is allowable at least for the reason discussed above in connection with claim 2. Claim 16 depends from claim 15 and corresponds to claim 3, and is allowable for its dependence on claim 15 and for the additional features it recites. Claims 17-18 correspond to claims 5-6, and are allowable at least for their dependence on claim 15.

* * *

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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